HON'BLE SRI JUSTICE G. BHAVANI PRASAD

WRIT PETITION No.14820 of 2001

Date: 12-7-2006

Between:

Tirumala Tirupati Devasthanams, rep. by
its Executive Officer, Tirupati, Chittoor
District and another .. Petitioners

And

The Chairman-cum-Presiding Officer,
Industrial Tribunal-cum-Labour Court,
Anantapur and another .. Respondents

ORDER:

The writ petition is filed by Tirumala Tirupati Devasthanams, represented by its Executive Officer and the Warden of TTD Ayurveda College against the award of the Industrial Tribunal-cum-Labour Court, Anantapur, dated 19-12-2000 in I.D. No.327 of 1997 and also impleading the petitioner therein as the 2nd respondent herein.

Heard the learned counsel for both parties.

Sri A.K. Jayaprakash Rao, learned counsel for the writ petitioners has strenuously contended that the impugned order which is not a speaking order, cannot be sustained and has to be set aside.

Sri Y. Subbarao, learned counsel representing Sri G. Ravi Mohan, learned counsel for the 2nd respondent has sought for time for filing counter. But, any further procrastination of the matter appears unnecessary in the light of the nature of the impugned order under consideration.

None appeared for the 1st respondent.

Irrespective of the truth or otherwise of the contentions of both parties, it is seen from the award in question that after reproducing the rival contentions and framing the points for consideration, the Industrial Tribunal-cum-Labour Court has baldly stated that it heard the matter and perused the material on record

and straight away directed reinstatement of the petitioner into service without any continuity of service or back wages and without any costs. Such laconic orders cannot be considered to be amounting to judicious and judicial determination of the questions in issue between the parties and my attention is not invited to any provision or principle of law under which an award of the Industrial Tribunal need not be speaking. The only alternative left to the Court under the circumstances is to remit the matter back to the Industrial Tribunal for fresh determination on merits in accordance with law and it is not for this Court to go into the questions of fact in issue between both parties, due to which the request of the learned counsel for the 2nd respondent to place some more material on record need not be entertained.

In the result, the writ petition is allowed without costs and the award of the Industrial Tribunal-cum-Labour Court, Anantapur in I.D. No.327 of 1997 dated 19-12-2000 published on 18-04-2001 is set aside and I.D. No.327 of 1997 is remitted back to the Industrial Tribunal-cum-Labour Court, Anantapur for fresh decision on merits in accordance with law as expeditiously as possible preferably within a period of three months from the date of communication of this order.

_____

G. BHAVANI PRASAD, J

Date: 12-7-2006

Svv